

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

|                                  |   |                                     |
|----------------------------------|---|-------------------------------------|
| <b>UNITED STATES OF AMERICA,</b> | ) |                                     |
|                                  | ) |                                     |
| <b>Plaintiff,</b>                | ) |                                     |
|                                  | ) |                                     |
| <b>v.</b>                        | ) | <b>Civil No. 3:07-CV-32-MHT-SRW</b> |
|                                  | ) |                                     |
| <b>TOM J. BOMBERGER, JR.,</b>    | ) |                                     |
|                                  | ) |                                     |
| <b>Defendant.</b>                | ) |                                     |
|                                  | ) |                                     |

**APPLICATION TO CLERK FOR ENTRY OF DEFAULT**

The Clerk for the above-entitled Court will enter default against the Defendant in the above cause for failure to plead, answer or otherwise defend in said cause as required by law.

LEURA G. CANARY  
United States Attorney

BY: /s/ R. Randolph Neeley  
R. RANDOLPH NEELEY  
Assistant United States Attorney  
BAR NO. 9083-E56R

P. O. Box 197  
Montgomery, AL 36101  
Office: (334) 223-7280  
Fax: (334) 223-7201

Default entered

\_\_\_\_\_  
BY: \_\_\_\_\_  
Clerk/Chief Deputy

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| <b>UNITED STATES OF AMERICA,</b> | ) |                                     |
|                                  | ) |                                     |
| <b>Plaintiff,</b>                | ) |                                     |
|                                  | ) |                                     |
| <b>v.</b>                        | ) | <b>Civil No. 3:07-CV-32-MHT-SRW</b> |
|                                  | ) |                                     |
| <b>TOM J. BOMBERGER, JR.,</b>    | ) |                                     |
|                                  | ) |                                     |
| <b>Defendant.</b>                | ) |                                     |
|                                  | ) |                                     |

**REQUEST FOR ENTRY OF DEFAULT AND JUDGMENT**

To the Clerk of the United States District Court:

The defendant, having been served with process on January 11, 2007, in the above-entitled and numbered action, has failed to appear, plead, or otherwise defend as provided in the Federal Rules of Civil Procedure. Therefore, you are requested to enter against the defendant, default and judgment in the amount set forth in the attached certificate.

This request and certificate are sent to you in accordance with Rules 55(a) and (b) of the Federal Rules of Civil Procedure.

LEURA G. CANARY  
United States Attorney

BY: /s/ R. Randolph Neeley  
R. RANDOLPH NEELEY  
Assistant United States Attorney

P. O. Box 197  
Montgomery, AL 36101  
(334) 223-7280

**IN THE DISTRICT COURT OF THE UNITED STATES  
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| <b>UNITED STATES OF AMERICA,</b> | ) |                                     |
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| <b>Plaintiff,</b>                | ) |                                     |
|                                  | ) |                                     |
| <b>v.</b>                        | ) | <b>Civil No. 3:07-CV-32-MHT-SRW</b> |
|                                  | ) |                                     |
| <b>TOM J. BOMBERGER, JR.,</b>    | ) |                                     |
|                                  | ) |                                     |
| <b>Defendant.</b>                | ) |                                     |

**CERTIFICATE**

I am one of the attorneys for Plaintiff in the above-styled action. In that capacity and upon information and belief, I state:

1. It appears that service of process was perfected on defendant on January 11, 2007; that United States Postal Return Receipt Card is on file herein.
2. A judgment for affirmative relief is sought against defendant and defendant has failed to plead or otherwise defend as required by the Federal Rules of Civil Procedure.
3. Information available to me indicates that defendant is not an infant or incompetent person and has not been in the military service of the United States since the filing of this action nor for a period of six months prior to such filing.
4. There is now due by the defendant to the plaintiff on the debt set forth in the complaint the sum of \$75,016.76 (\$62,712.68 principal and \$12,304.08 interest accrued through November 29, 2006), and interest at the rate of 7.14 percent per annum thereafter to the date of judgment, and interest at the legal rate from the date of judgment until paid in full, for cost of suit and other proper relief.

I certify, pursuant to 28 U.S.C. 1746(2), under penalty of perjury that the foregoing is true and correct.

DATED February 6, 2007.

LEURA G. CANARY  
United States Attorney

BY: /s/ R. Randolph Neeley  
R. RANDOLPH NEELEY  
Assistant United States Attorney

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| <b>UNITED STATES OF AMERICA,</b> | ) |                                     |
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| <b>Plaintiff,</b>                | ) |                                     |
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| <b>v.</b>                        | ) | <b>Civil No. 3:07-CV-32-MHT-SRW</b> |
|                                  | ) |                                     |
| <b>TOM J. BOMBERGER, JR.,</b>    | ) |                                     |
|                                  | ) |                                     |
| <b>Defendant.</b>                | ) |                                     |
|                                  | ) |                                     |

**JUDGMENT**

A default having been entered as to the defendant in the above case on the \_\_\_\_\_ day of \_\_\_\_\_, 2007, all in accordance with Rule 55 of the Federal Rules of Civil Procedure, and counsel for plaintiff having requested judgment against said defaulted defendant and having filed a proper certificate with me as to the amount due from the defendant to the plaintiff;

Judgment is, therefore, hereby rendered in favor of the plaintiff, the United States of America, and against the defendant, in the sum of \$75,016.76, plus interest at the rate of 7.14 percent from and after November 29, 2006, to the date of judgment, and interest at the rate of \_\_\_\_\_ percent per annum from the date of judgment until paid in full, for cost of suit and other proper relief.

DATED February 6, 2007.

\_\_\_\_\_  
DEBRA P. HACKETT, Clerk